

**UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*,

Debtors.¹

PROMESA

Title III

No. 17 BK 3283-LTS

Re: ECF No. 22962

(Jointly Administered)

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*,

Movants,

-against-

RAMHIL DEVELOPERS, INC.,

Respondent.

**ELEVENTH URGENT CONSENSUAL MOTION FOR
EXTENSION OF DEADLINES AND ADJOURNMENT OF HEARING**

¹ The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Building Authority ("PBA") (Bankruptcy Case No. 19-BK-5523-LTS). (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

To the Honorable United States District Court Judge Laura Taylor Swain:

The Financial Oversight and Management Board for Puerto Rico (the “Oversight Board”), as sole Title III representative of the Commonwealth of Puerto Rico (the “Commonwealth”), the Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”), and the Puerto Rico Public Buildings Authority (“PBA” and, collectively with the Commonwealth and ERS, the “Debtors”), pursuant to section 315(b) of the *Puerto Rico Oversight, Management, and Economic Stability Act* (“PROMESA”),² respectfully submits this eleventh urgent consensual motion for entry of an order, substantially in the form attached hereto as **Exhibit A** (the “Proposed Order”), extending the deadlines and adjourning the hearing scheduled in the *Order Granting the Tenth Urgent Consensual Motion for Extension of Deadlines and Adjournment of Hearing* [Case No. 17-3283, ECF No. 22962]³ (the “Extension Order”) and states as follows:

Request for Relief

1. On November 21, 2021, the Oversight Board filed the *Second Amended Plan Supplement and Plan Related Documents of the Commonwealth of Puerto Rico, et al.* [ECF No. 19326] (the “Second Amended Plan Supplement”).⁴ Attached to the Second Amended Plan Supplement as Exhibit E is a schedule of Executory Contracts and Unexpired Leases (the “Schedule”). Pursuant to Section 76.1 of the Plan, the Debtors assumed, as of the Effective Date of the Plan, the Executory Contracts and Unexpired Leases listed in the Schedule.

² PROMESA is codified at 48 U.S.C. §§ 2101-2241.

³ Unless otherwise stated, all ECF Nos. shall refer to the docket in Case No. 17-3283.

⁴ All capitalized terms used but not otherwise defined herein shall have the meanings given to them in the *Modified Eighth Amended Title III Joint Plan of Adjustment of the Commonwealth of Puerto Rico*, et al., dated January 14, 2022 [ECF No. 19784] (as may be amended, modified, or supplemented, the “Plan”) or the Original Notice (as defined below), as applicable.

2. On November 23, 2021, the Oversight Board filed the *Notice of Executory Contracts and Unexpired Leases to be Assumed Pursuant to Title III Plan of Adjustment* [Case No. 17-BK-3283-LTS, ECF No. 19353; Case No. 19-BK-05523-LTS, ECF No. 244; Case No. 17-BK-03566-LTS, ECF No. 1272].

3. On January 18, 2022, Ramhil Developers, Inc. (“Ramhil”) filed *Ramhil Developers Inc.’s Objection to Docket No. 19353 and Informing Cure Amounts for Executory Contracts or Unexpired Leases To Be Assumed Pursuant to Title III Plan of Adjustment* [ECF No. 19807] (the “Ramhil Objection”).

4. Pursuant to the Extension Order, the deadline to file replies to the Ramhil Objection is January 25, 2023, at 4:00 p.m. (Atlantic Standard Time) (the “Reply Deadline”), and the Ramhil Objection will be heard at the February 1, 2023 omnibus hearing (the “Hearing”).

5. The Oversight Board is continuing to finalize its consensual resolution with respect to the Ramhil Objection. Accordingly, the Oversight Board respectfully requests (a) an extension of the Reply Deadline from January 25, 2023 to **March 8, 2023 at 4:00 p.m. (Atlantic Standard Time)**, and (b) adjournment of the Hearing to consider the Ramhil Objection from February 1, 2023 to **the March 15, 2023 omnibus hearing**.

6. Pursuant to Paragraph 1.H of the *Sixteenth Amended Notice, Case Management and Administrative Procedures* [ECF No. 20190-1] (the “Case Management Procedures”), the Oversight Board hereby certifies that it has carefully examined the matter and concluded that there is a true need for an urgent motion; it has not created the urgency through any lack of due diligence; has made a bona fide effort to resolve the matter; has made reasonable, good-faith communications in an effort to resolve or narrow the issues that are being brought to the Court, and Ramhil consents to the relief requested herein.

Notice

7. The Oversight Board has provided notice of this motion in accordance with the Case Management Procedures to the following parties: (a) the Office of the United States Trustee for the District of Puerto Rico; (b) the indenture trustees and/or agents, as applicable, for the Debtors' bonds; (c) the entities on the list of creditors holding the 20 largest unsecured claims against the Commonwealth; (d) counsel to the statutory committees appointed in these Title III cases; (e) the Office of the United States Attorney for the District of Puerto Rico; (f) counsel to the Oversight Board; (g) the Puerto Rico Department of Justice; (h) the Other Interested Parties;⁵ (i) all parties filing a notice of appearance in these Title III cases; and (j) Ramhil. A copy of the motion is also available at <https://cases.ra.kroll.com/puertorico/>.

8. The Oversight Board submits that, in light of the nature of the relief requested, no other or further notice need be given.

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⁵ The "Other Interested Parties" include the following: (i) counsel to certain of the insurers and trustees of the bonds issued or guaranteed by the Debtors; and (ii) counsel to certain ad hoc groups of holders of bonds issued or guaranteed by the Debtors.

WHEREFORE the Oversight Board requests the Court enter the Proposed Order and grant such other relief as is just and proper.

Dated: January 25, 2023
San Juan, Puerto Rico

Respectfully submitted,

/s/ Brian S. Rosen

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Exhibit A

Proposed Order

**UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*,

Debtors.¹

PROMESA

Title III

No. 17 BK 3283-LTS

(Jointly Administered)

**ORDER GRANTING THE ELEVENTH
URGENT CONSENSUAL MOTION FOR
EXTENSION OF DEADLINES AND ADJOURNMENT OF HEARING**

Upon the *Eleventh Urgent Consensual Motion for Extension of Deadlines and Adjournment of Hearing* (ECF No. _____, the “Eleventh Extension Motion”);² and the Court having found that the relief requested in the Eleventh Extension Motion is in the best interests of the Oversight Board and Ramhil; and the Court having found that the Oversight Board provided adequate and appropriate notice of the Eleventh Extension Motion under the circumstances and that no other or further notice is required; and the Court having reviewed the Eleventh Extension Motion; and the Court having determined that the factual bases set forth in the Eleventh Extension Motion establish

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² Capitalized terms used but not otherwise defined herein have the meanings given to them in the Eleventh Extension Motion.

just cause for the relief granted herein; and after due deliberation and sufficient cause appearing therefor, it is **HEREBY ORDERED THAT:**

1. The Eleventh Extension Motion is granted as set forth herein.
2. Replies to the Ramhil Objection, if any, must be filed by **March 8, 2023, at 4:00 p.m. (Atlantic Standard Time).**
3. The Ramhil Objection will be heard at the March 15, 2023 omnibus hearing.
4. This Order resolves Docket Entry No. _____ in Case No. 17-3283.

SO ORDERED.

Dated: January _____, 2023

LAURA TAYLOR SWAIN
United States District Judge